

**REMARKS**

**I. Status of the Application**

Claims 1-13 were pending in the application. Claims 1-7 and 10-13 were rejected. Claims 8 and 9 would be allowable if rewritten in independent form. In particular, page 3 of the Office Action states that claims 8 and 9 would be allowable “if both Claims 8 and 9 [were] rewritten in independent form including all of the limitations of the base claim and any intervening claims” (emphasis added). Because claims 8 and 9 were not specifically rejected over the cited references, the Applicant assumes that either claim 8 or claim 9 would be allowable if rewritten in independent form.<sup>1</sup>

Accordingly, the Applicant is amending independent claims 1, 3, and 13 to recite features similar to those recited in allowable claim 9. Therefore, the Applicant respectfully submits that claims 1, 3, and 13 are patentable over the cited references. In addition, claims 2, 4-8, and 10-12 are patentable over the cited references at least by virtue of their respective dependencies on claims 1 and 3, as well as their additionally recited features.

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<sup>1</sup> Claims 1-5 and 11-13 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Publication No. 2002/0013658 to Tanaka et al. (hereinafter “Tanaka”) in view of U.S. Patent No. 5,204,958 to Cheng et al. (hereinafter “Cheng”) and U.S. Patent No. 4,611,272 to Lomet (hereinafter “Lomet”). Claim 10 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tanaka, Cheng, Lomet, and U.S. Publication No. 2003/0028316 to Miyahara (hereinafter “Miyahara”). Claims 6 and 7 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tanaka, Cheng, Lomet, Miyahara, and U.S. Publication No. 2003/0140309 to Saito et al. (hereinafter “Saito”). Claims 8 and 9 were not rejected over Tanaka, Cheng, Lomet, Miyahara, Saito, or any other reference.

## **II. Conclusion**

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323, Docket No. 029267.58056US.

Respectfully submitted,

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